

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO. _____
v.	:	DATE FILED: _____
VALERIE THOMAS	:	VIOLATIONS:
	:	18 U.S.C. § 924(a)(1)(A) (false statements
	:	to a federal firearms licensee - 2 counts)
	:	18 U.S.C. § 2 (aiding and abetting)
	:	Notice of forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

At all times material to this indictment:

1. Lou's of Upper Darby, Inc., located in Upper Darby, Pennsylvania, possessed a federal firearms license ("FFL") and was authorized to deal in firearms under federal laws.
2. Various rules and regulations, promulgated under the authority of Chapter 44, Title 18, United States Code, govern the manner in which FFL holders are permitted to sell firearms and ammunition.
3. The rules and regulations governing FFL holders require that a person seeking to purchase a handgun fill out a Firearms Transaction Record, ATF Form 4473. Part of the Form 4473 requires that the prospective buyer certify that all his or her answers on the Form 4473 are true and correct. The Form 4473 contains language warning that "making any false oral or written statement ... is a crime punishable as a felony."

4. The Form 4473 requires the transferee to state whether he or she is the actual buyer of the firearm listed on the form. If the transferee is not the actual buyer, the FFL cannot transfer the firearm to him or her as stated on the Form 4473. The Form 4473 specifically warns that it is a crime punishable as a felony to respond “yes” to the question stating that the individual purchasing the firearm is the actual buyer when, in fact, the individual is not.

5. FFL holders are required to maintain a record, in the form of a completed Form 4473, of the identity of the actual buyer of firearms sold by the FFL holder, including the buyer’s home address and date of birth.

6. Defendant VALERIE THOMAS requested Veronica Thomas, charged elsewhere, to make purchases of firearms in her name for other persons known to the grand jury and received money for assisting in the purchases.

7. On or about July 26, 2004, in Delaware County, in the Eastern District of Pennsylvania, defendant

VALERIE THOMAS,

in connection with the acquisition of a firearm, that is, a Bersa, Model Thunder, .380 caliber pistol, serial no. 613546, from Lou’s of Upper Darby, knowingly aided and abetted Veronica Thomas, charged elsewhere, in the making of a false statement and representation with respect to the information required by the provisions of Chapter 44, Title 18, United States Code, to be kept in the FFL holder’s records, in that Veronica Thomas certified on the Form 4473 that she was the actual buyer of the firearm, knowing that statement was false and fictitious in that the firearm was purchased for and given to a person known to the grand jury.

In violation of Title 18, United States Code, Sections 924(a)(1)(A) and 2.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 6 are incorporated here.
2. On or about November 10, 2004, in Delaware County, in the Eastern

District of Pennsylvania, defendant

VALERIE THOMAS

in connection with the acquisition of a firearm, that is, a Hi Point, Model C-9, 9mm caliber pistol, serial no. P1227436, from Lou's of Upper Darby, knowingly aided and abetted Veronica Thomas, charged elsewhere, in the making of a false statement and representation with respect to the information required by the provisions of Chapter 44, Title 18, United States Code, to be kept in the FFL holder's records, in that Veronica Thomas certified on the Form 4473 that she was the actual buyer of the firearm, knowing that statement was false and fictitious in that the firearm was purchased for and given to a person known to the grand jury.

In violation of Title 18, United States Code, Sections 924(a)(1)(A) and 2.

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

As a result of the violations of Title 18, United States Code, Section 924(a)(1)(A),
set forth in this indictment, defendant

VALERIE THOMAS

shall forfeit to the United States of America the firearms involved in the commission of such
offenses, including but not limited to:

- (1) a Bersa Model Thunder, .380 caliber pistol, serial no. 613546; and
- (2) a Hi-Point, Model C-9, 9mm caliber pistol, serial no. P1227436.

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United
States Code, Section 924(d).

A TRUE BILL:

FOREPERSON

PATRICK L. MEEHAN
United States Attorney